

Potentially relevant definitions from the 1972 World Heritage Convention and UNESCO to guide a conversation on defining “cultural heritage”

Context: During the intersessional meetings of the Working Group on Underwater Cultural Heritage, a proposal to prepare and circulate to the group an informational paper on the 1972 World Heritage Convention, currently with 195 state parties to the Convention as of August 2023, and how it can serve as guidance for developing a definition for "cultural heritage" inclusive of "intangible" elements and not necessarily restricted to the "underwater" was made. Defining “cultural heritage” in the draft regulations for exploitation of deep sea marine minerals is guided by Article 149 of the United Nations Convention on the Law of the Sea.

1. The UNESCO 1972 World Heritage Convention definition of “cultural heritage” under Part I, Articles 1 and 2:

The language of the World Heritage Convention in regards to “cultural heritage” can be seen below as follows. This definition is not inclusive on its own of “intangible” elements, and may be best discussed in conversation with the informational paper and proposed language on “intangible cultural heritage” submitted to the Working Group on September 12, 2023.

“For the purposes of this Convention, the following shall be considered as "cultural heritage":

1. **monuments:** *architectural works, works of monumental sculpture and painting, elements or structures of an archaeological nature, inscriptions, cave dwellings and combinations of features, which are of outstanding universal value from the point of view of history, art or science;*
2. **groups of buildings:** *groups of separate or connected buildings which, because of their architecture, their homogeneity or their place in the landscape, are of outstanding universal value from the point of view of history, art or science;*
3. **sites:** *works of man or the combined works of nature and man, and areas including archaeological sites which are of outstanding universal value from the historical, aesthetic, ethnological or anthropological point of view.”*

Source definition UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage, 1972. <https://whc.unesco.org/en/conventiontext/>

2. UNESCO definition of “cultural heritage” defined by the 2009 UNESCO Framework for Cultural Statistics:

The 1986 Framework for Cultural Statistics was updated in 2009 through a collaboration of the UNESCO Institute for Statistics (UIS) and the UNESCO Culture Sector. This revision takes into account new concepts in the field of culture, including those related to new technologies, intangible heritage, and evolving cultural practices to continue the development of measurable evidence-based policies. This update aimed to reflect a more inclusive approach to understanding culture and the priorities of developing countries. This definition includes consideration of “intangible cultural heritage” and may be useful for discussion.

“Cultural heritage includes artefacts, monuments, a group of buildings and sites, museums that have a diversity of values including symbolic, historic, artistic, aesthetic, ethnological or anthropological, scientific and social significance. It includes tangible heritage (movable, immobile and underwater), intangible cultural heritage (ICH) embedded into cultural, and natural

heritage artefacts, sites or monuments. The definition excludes ICH related to other cultural domains such as festivals, celebration etc. It covers industrial heritage and cave paintings.”

Source definition UNESCO Institute for Statistics, 2009 UNESCO Framework for Cultural Statistics, <https://uis.unesco.org/en/glossary-term/cultural-heritage>,
https://uis.unesco.org/sites/default/files/documents/unesco-framework-for-cultural-statistics-2009-en_0.pdf